

**ENTERED**

May 13, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

CHIVA CHAPA,

Plaintiff,

v.

MARTIN O'MALLEY, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:24-CV-00131

**ORDER ADOPTING MEMORANDUM & RECOMMENDATION**


Before the Court is Magistrate Judge Julie K. Hampton's Memorandum and Recommendation ("M&R"). (D.E. 19). The M&R recommends that the Court grant Plaintiff's unopposed motion for attorney fees. *Id.* at 1.

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam); *Powell v. Litton Loan Servicing, L.P.*, No. 4:14-CV-02700, 2015 WL 3823141, at \*1 (S.D. Tex. June 18, 2015) (Harmon, J.) (citation omitted).

Having reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its entirety. (D.E. 19). Accordingly, the Court **GRANTS** Plaintiff's unopposed motion for attorney fees. (D.E. 17). The Court **AWARDS** Plaintiff's attorney of record the sum of \$9,391.43 in attorney fees and \$405 in costs, to be paid

separately from the judgment fund. Consistent with *Astrue v. Ratliff*, 560 U.S. 586, 589 (2010), the Court **ORDERS** that the attorney fee award be made payable to Plaintiff Chiva Chapa and mailed in care of her attorney, Michael T. Kelly.

SO ORDERED.

  
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DAVID S. MORALES  
UNITED STATES DISTRICT JUDGE

Signed: Corpus Christi, Texas  
May 13<sup>th</sup>, 2025